

**STORM WATER MANAGEMENT PROGRAM
(SWMP)
LAS PIEDRAS MUNICIPALITY**

**PREPARED FOR:
LAS PIEDRAS PUERTO RICO MUNICIPALITY**

**PREPARED BY:
ESSAYON DESIGN & MANAGEMENT SOLUTIONS,
INC.
CAGUAS, PUERTO RICO**

NOI-APPLICATION

AUGUST 2009

U.S. ENV. PROT. AGENCY
2009 AUG -6 AM 9:06
CEPD-DIRECTOR OFFICE

August 05-2009

Carl-Axel P. Soderberg
Director
Caribbean Environmental Protection Division
U.S. Environmental Protection Agency -Region 2
Multi-Media Permits and Compliance Branch
Centro Europa Building, Suite 417
1492 Ponce de Leon Ave.
San Juan, PR 00907

2009 AI -7 AT

RE: Notice of Intent (NOI) for Puerto Rico Small MS4 NPDES General Permit
Las Piedras Municipality, Commonwealth of Puerto Rico

Dear Mr. Soderberg:

On November 6, 2006, EPA Region 2 issued and published the NPDES General Permit for Discharges from Small MS4s (the permit) the permit became effective on November 6, 2006, and will expire on November 6, 2011

According to EPA Regulations found at 40 CFR -122.26 (e) (9) and 122.33, require Respondent to submit a permit application before March 10, 2003 and last administration respondent failed to produce evidence that it had submitted permit applications, including Notice of Intention (NOI) for coverage under the permit for the period between March 10, 2003 and July 18, 2008.

Based on Past Administration Respondent's failure to submit a NOI or any other NPDES permit application, EPA issued to 2008's Respondent, an Administrative Compliance Order ('ACO'), Docket Number CWA-02-2008-3118, dated February 16, 2008. Based on the Findings and violations Region 2 proposes a penalty of \$47,738.

On April 14 2009 The Present Administration for the Municipality of Las Piedras received Complaint # CWA 02-2009-3456 for its failure to apply for a National Pollutant Discharge Elimination System ("NPDES") permit for its storm water discharges from the municipal separate storm sewer systems ("MS4s") into waters of the United States. According to this ,constitutes a violation of Sections 308(a) and 402 (p) of the Clean Water Act ("CWA or the Act"),33 U.S.C.- 1318 (a) and 1342 (p)(4). This complaint is based on the Findings of the 2008-Past administration Respondent's failure and violation already described.

It is our intention to follows the Procedure Governing this Administrative action Answering the Complaint to deny and explain each of the factual allegations that are contained in CWA-02-2008-3118 and to set aside the final order and to hold a Hearing thereon.

Therefore to comply with all applicable statutory and regulatory requirements and to maintain such compliances we are submitting the Request of information from the Environmental Protection Agency (EPA) requesting the submission of a Notice of Intent (NOI) for a National Pollutant Discharge Elimination System (NPDES) General Permit. Las Piedras Municipality has a Small Municipal Separate Storm Sewer System (MS4) operating for many years that discharges storm water mainly to the Valenciano River, Gurabo River and Humacao River.

Las Piedras Municipality is located within the South-East San Juan urbanized area as determined by the EPA based on the latest 2000 Decennial Census by the Bureau of Census. Las Piedras is a municipality with a population of less than 100,000 persons. On January 9, 1998, EPA established in the proposed rule for the Commonwealth of Puerto Rico that for MS4s that are located within an urbanized area and the municipality has population of less than 100,000, only the Pueblo will be regulated. Based on this ruling and the urbanized area map prepared by the EPA for Las Piedras Municipality, Las Piedras Pueblo Urbanized Area (LPPUAU) covered by the NPDES General Permit is shown on the maps in Appendix 1.

After review of six (6) Environmental Impact Statement documents for projects in proximity to the (LPPUAU) where the effects on listed endangered or threatened species and critical habitats have been evaluated, there is no reason to believe that the storm water discharges, allowable non-storm water discharges and discharge related activities will jeopardize the continued existence of any species or result in the adverse modification or destruction of critical habitat. Also, based on this evaluation, there is no reason to believe that there are suitable habitats for these species within the (LPPUAU).

In addition, after review of six (6) Environmental Impact Statement documents for projects in proximity to the (LPPUAU) where compliance with the National Historic preservation Act have been evaluated, there is no reason to believe that the storm water discharges, allowable non-storm water discharges and discharge related activities will affect a property that is listed or is eligible for listing on the National Register of Historic Places as maintained by the Secretary of the Interior.

So, as required by EPA and to be authorized to discharge storm water from a small MS4, the Municipality of Las Piedras submits a notice of intent (NO I) and a description of their storm water management program that currently is being developed (see NOI in Appendix # 2).

Sincerely,



Miguel A. López Rivera

Mayor, Las Piedras Municipality

Appendix **1**

San Juan, PR Urbanized Area - Southeast Portion Storm Water Entities as Defined by the 2000 Census

2000 Census Urbanized Areas

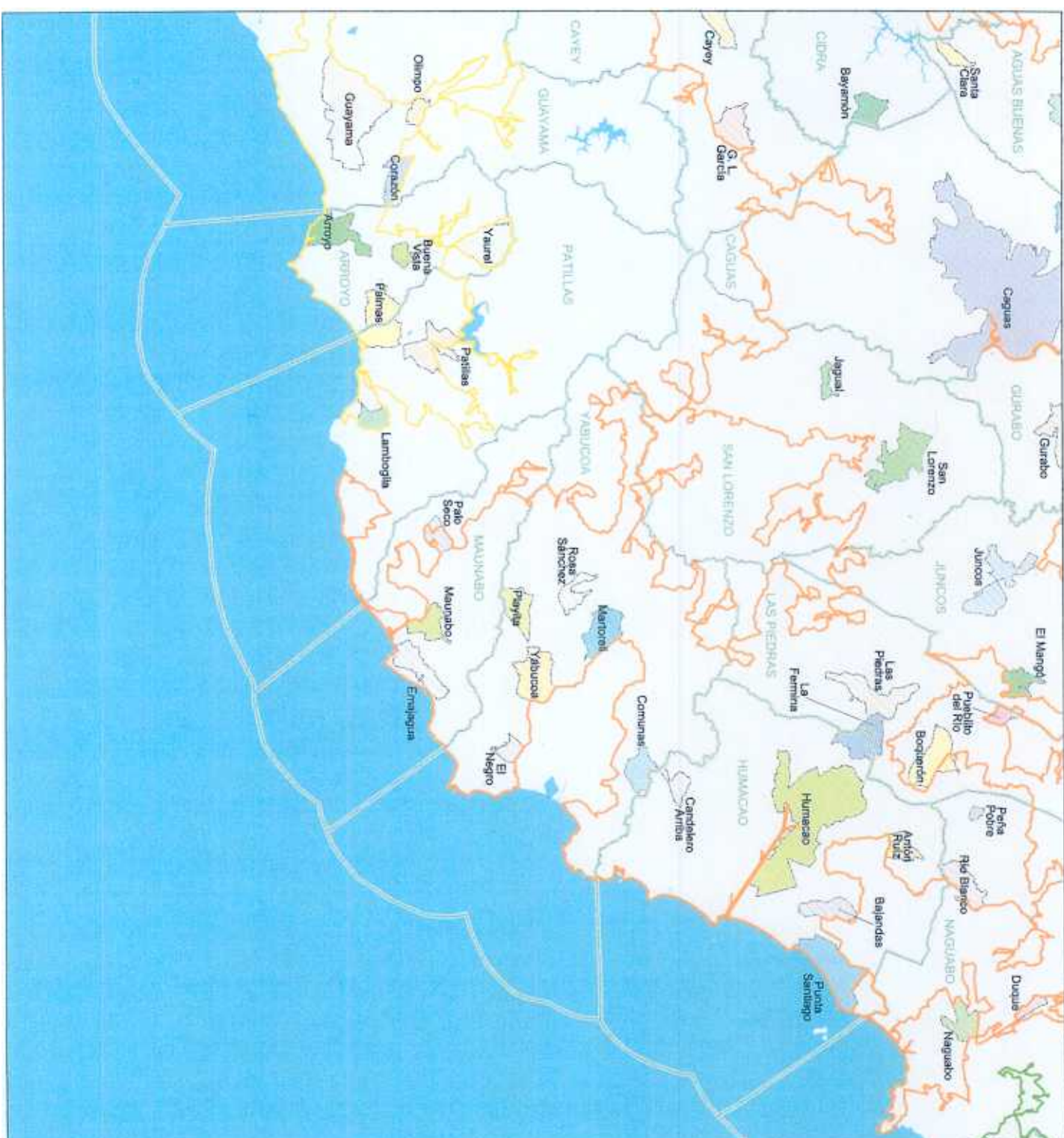
- San Juan, PR
- Fajardo, PR
- Guayama, PR

- Municipal Boundaries
- County Boundaries
- Major Waterbodies

SOURCE:
US Census Bureau TIGER data, 2000 Census

PROJECTION:
State Plane Coordinate System - Puerto Rico
Horizontal datum - NAD83

MAP DESIGN:
October 15, 2002



**San Juan, PR
Urbanized Area -
Northeast Portion
Storm Water
Entities as Defined
by the 2000 Census**

2000 Census Urbanized Areas

 San Juan, PR
 Fajardo, PR

 Municipal Boundaries☐ County Boundaries

Major Waterbodies

SOURCE:
US Census Bureau TIGER data, 2000 Census

PROJECTION:
State Plane Coordinate System - Puerto Rico
Horizontal datum - NAD83

MAP DESIGN:
October 15, 2002

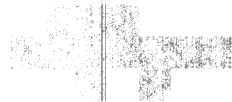




Appendix 2

STORM WATER MANAGEMENT PROGRAM (SWMP)
LAS PIEDRAS MUNICIPALITY

PREPARED FOR:
LAS PIEDRAS PUERTO RICO MUNICIPALITY



PREPARED BY:
ESSAYON DESIGN & MANAGEMENT SOLUTIONS, INC.
CAGUAS, PUERTO RICO

NOI-APPLICATION

AUGUST 2009

August 4, 2009

Eng Carl-Axel Soderberg
United States Environmental Protection Agency
Caribbean Environmental Protection Division
Centro Europa Building, Suite 417
1492 Ponce de León Avenue
San Juan Puerto Rico 00907

**Re: Municipality of Las Piedras, Notice of Intent
Puerto Rico NPDES Municipal Separate Storm Sewer System Permit**

Las Piedras Municipality as an owner and operator of a Municipal Separate Storm Water System (MS4) submits this application for coverage under the NPDES Permit PR040000 issued on November 6, 2006 by the U.S Environmental Protection Agency (USEPA) for the Commonwealth of Puerto Rico.

This application follows the format provided in the document **"NPDES" Permit Application Form Regulating Small Municipal MS4s in EPA's Jurisdiction within Puerto Rico** issued by the USEPA on February 2003.

- 1) Las Piedras Municipality, represented by its mayor, Hon. Miguel A. Lopez Rivera operates a municipal separate storm sewer system located Las Piedras, Puerto Rico.
- 2) Las Piedras is located in the East central region of Puerto Rico and is defined by EPA as an urbanized area based on the 2000 census. Las Piedras is spread over seven (7) Wards, Boquerón, Ceiba, Collores, Montones, Quebrada Arenas, Tejas, El Rio and Las Piedras Pueblo (The downtown area and the administrative center of the city). It is part of the San Juan Caguas-Guaynabo Metropolitan Statistical Area. See urbanized areas reference maps on **Attachments I**.
- 3) Operator's General Information:
 - Name: Las Piedras Municipality
 - Representative: Hon Miguel A Lopez Rivera
 - Mailing Address: PO Box 68 Las Piedras Puerto Rico 00771
 - Location of representative's office: City Hall located at Jose Celso Barbosa St. At the west of Las Piedras, Municipality.

- Telephone numbers (787)-733-2160, 0165,2183,2195,2187,2145
 - Las Piedras is located in the East center region of the island, By the North Canovanas and Río Grande; Yabucoa in the South; Naguabo and Humacao by the East and Juncos and San Lorenzo by the West.
- 4) Operator's Standards Industrial Classification Code (SIC) that reflects the service provided by Las Piedras Municipality is **9199** .this industrial Sector is under Division Public Administration of the US Department of Labor.
- 5) Las Piedras is government public entity. Its primary administrative contact is:
- Name: Mrs. Wanda I. Rosa Flores Federal Programs Office Coordinator.
 - Mailing Address: PO Box 68 Las Piedras Puerto Rico.00771
 - Location of representative's office:
José Celso Barbosa St. #223(altos) Las Piedras, Puerto Rico 00771
 - Telephone numbers: (787)-733-2434,733-6180
- 6) Las Piedras does not generate, treat, or dispose hazardous waste; has no permit under The Resource Conservation or Recovery Act. The Municipality does not own or operate a Waste water treatment unit or a portable water plant; has not NPDES permit
- 7) List of Environmental Permits
- a) Resource Conservation or Recovery Act: NONE
 - b) Underground Injection Control under the Safe Drinking Water Act: NONE
 - c) NPDES program under the Clean Water Act: NONE
 - d) Prevention of Significant Deterioration program under the Clean Air Act: NONE
 - e) Non attainment program under the Clean Air Act: NONE
 - t) National Emission Standards for Hazardous Air Pollutants and Pre-construction Approval under the Clean Air Act: NONE
 - g) Ocean Dumping Permits under the Marine Protection Research and Sanctuaries Act: NONE
 - h) Dredge or fill permits under section 404 of the Clean Water Act: NONE
- 8) **-Attachments II** of This Notice of Intent Application (**NOI**) include a Topographic map of the municipality, extending 1 mile beyond the property boundaries. If existing within the coverage area, the map locates the intake and discharge structures, hazardous waste treatment, storage, or disposal facilities, Underground injection, Control systems, Drinking water wells, and

surface water bodies. Also, the location of all storm water outfalls, with name and location of US water receives those discharges.

As a summary, all the bodies of water flowing through Las Piedras are part of the Gurabo-Watershed, except Río Humacao that outlets into Vieques Passage, a small passage between Atlantic and Caribbean Ocean the Humacao River Watershed that includes 16,477 acres is bounded by the watersheds on the West with Valenciano and Cayaguax tributaries of the Loiza River. All streams in Las Piedras, Quebrada Honda, De Los Rábanos, Arenas and Valenciano River are part of Gurabo Watershed. The main Rivers passing through Las Piedras Municipal territory are the Humacao River, Valenciano River and Gurabo River, which is the main tributary of the Rio Grande de Loiza and supplies water to the Reservoir. A map of roads and streams supplied by the municipality of Las Piedras Planning Officer shows over three (3) creeks and streams those water bodies previous mentioned drain through Rio Grande de Loiza.

Downtown Las Piedras Pueblo ward and crossing PR 198 from West(Juncos) to East(Humacao) (José Celso Barbosa Street there are sixty-one (61) storm water inlets and three (3) identified storm drains. Nineteen (19) storm inlets and three (3) water storm drains in PR 921; Ten (10) water inlets in PR 936 ;and Five (5) water inlets in PR 9939 At PR 198 km 24.3and at the end of la Fermina Community there are two outfall tributaries to Rio Humacao.

Also in PR 183 from Las Piedras Intersection with PR 30 thru Montones Ward and San Lorenzo there is twenty eight (28) waters inlets and three Outfalls in front of McNeil ,Flexi Package and Ceramco Industries sector.

Storm water outfall locations studies are not completely finished but must be terminated by December 2009 .A Map of Las Piedras Urbanized Area MS4 including outside urban areas from Las Piedras Pueblo is expected to be completed by December 2009.

See other relevant maps and Photos in Attachment III

9-Las Piedras's population is estimated at 34,485 according to 2000 Census and 41,733 as internal Statistical from Public Work Department municipality census for 2007 .Its urban center for which this MS4 applies Las Piedras Pueblo Ward is 1,911. according to 2000-Census There are 28 urban development's for Las Piedras Municipality. The municipality of Las Piedras is composed of eight (8) Wards

10-Las Piedras has many services areas, the following are the principal service areas that will be directly involve with the implementation of the Storm Water Program:

- . Federal Program Office

- Planning Department
- Municipal Public Works Department
- Medical Emergency Department
- Press, Public Relations and Communications
- Citizens Assistant Office

11- Las Piedras territorial extension is 43.4 square miles and it is population density is 794.5 /square-miles.

12- Best management Practices and description of the preliminary measurable goals for each of the six minimum controls established as part of Las Piedras Storm Water Program and Storm Water Pollution Prevention Plan.

✕ As the date of this submission, the program is under the development process. When the SWMP is completed it will be certified and submitted to USEPA for review.

CERTIFICATION

"I certify under penalty of law that this document and all attachments were prepared under my Direction or supervision in accordance with a system designed to assure that a qualified personnel properly gather and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information submitted is, to the best of my knowledge and belief, true, accurate, and complete I'm aware that there are significant penalties for submitting false information ,including the possibility of fine and imprisonment for knowing violations".



Miguel A López Rivera, -
Mayor Las Piedras Municipality

Date- August 4, 2009

Attachment 1

San Juan, PR Urbanized Area - Southeast Portion Storm Water Entities as Defined by the 2000 Census

- 2000 Census Urbanized Areas**
- San Juan, PR
 - Fajardo, PR
 - Guayama, PR
- Legend**
- Municipal Boundaries
 - County Boundaries
 - Major Waterbodies

SOURCE:
US Census Bureau TIGER data, 2000 Census

PROJECTION:
State Plane Coordinate System - Puerto Rico
Horizontal datum - NAD83

MAP DESIGN:
October 15, 2002



San Juan, PR Urbanized Area - Northeast Portion Storm Water Entities as Defined by the 2000 Census

2000 Census Urbanized Areas

- San Juan, PR
- Fajardo, PR

Municipal Boundaries

County Boundaries

Major Waterbodies

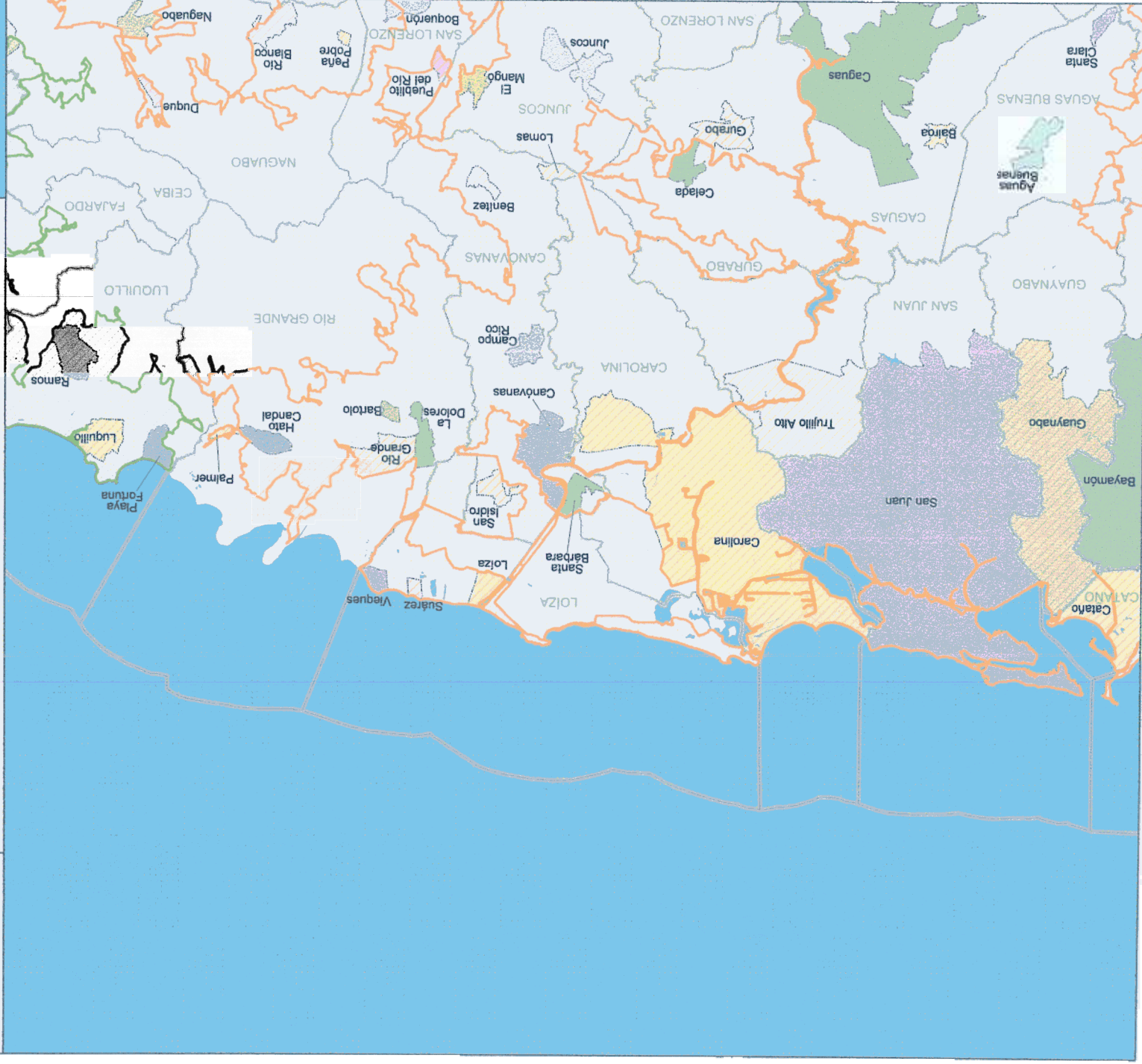
SOURCE: US Census Bureau TIGER data, 2000 Census

PROJECTION: State Plane Coordinate System - Puerto Rico

Horizontal datum - NAD83

MAP DESIGN: October 15, 2002

0 1 2 Miles
0 2 Kilometers



Attachment 2

Las Piedras








Mapa Topográfico

Las Piedras

2,000 1,000 0 2,000 Metros

Escala: 1:60,000

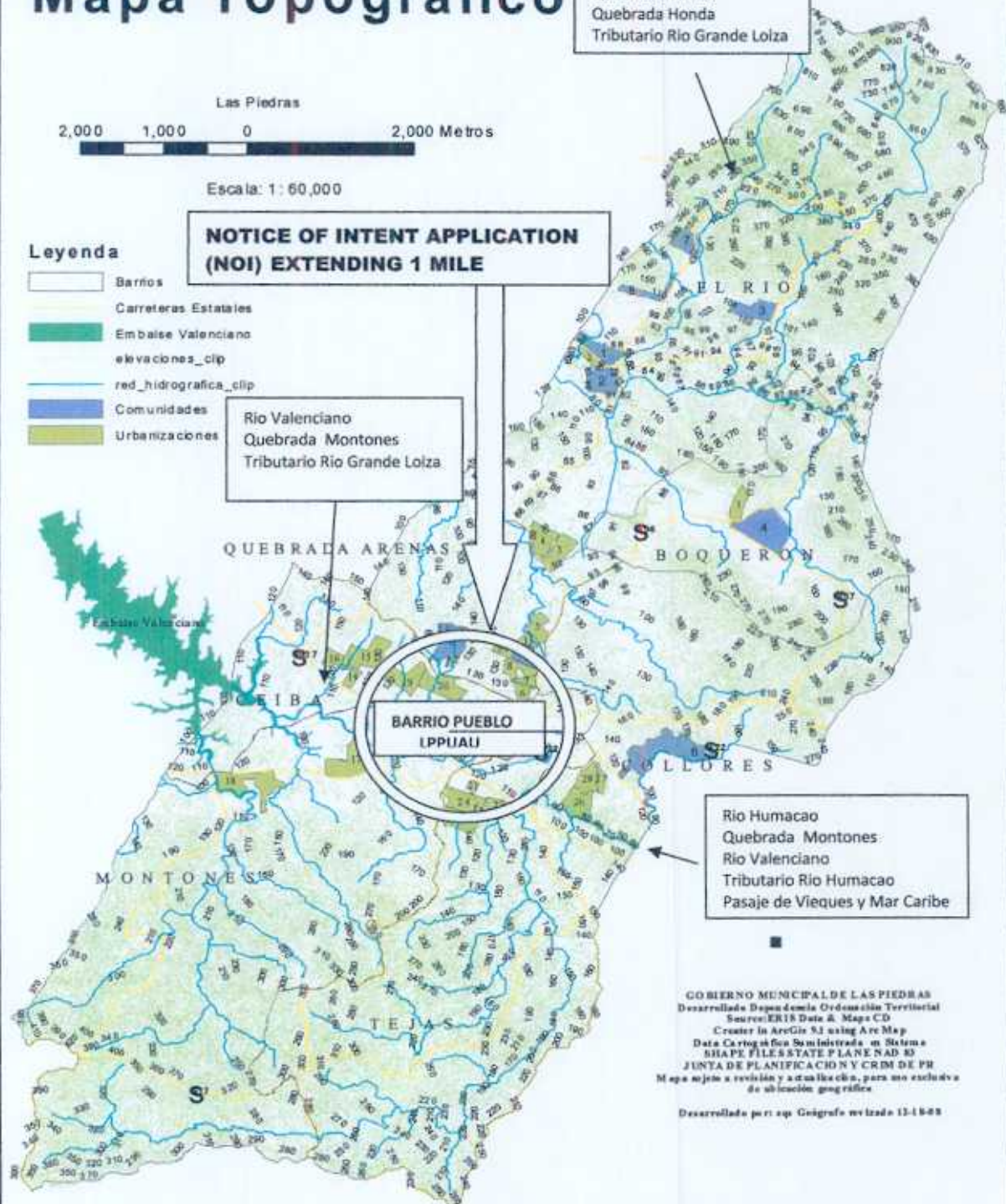
Leyenda

-  Barrios
-  Carreteras Estatales
-  Embalse Valenciano
-  elevaciones_clip
-  red_hidrografica_clip
-  Comunidades
-  Urbanizaciones

**NOTICE OF INTENT APPLICATION
(NOI) EXTENDING 1 MILE**

Rio Valenciano
Quebrada Montones
Tributario Rio Grande Loiza

Rio Gurabo
Quebrada Arena
Quebrada Honda
Tributario Rio Grande Loiza



BARRIO PUEBLO
LPPJAJ

Rio Humacao
Quebrada Montones
Rio Valenciano
Tributario Rio Humacao
Pasaje de Vieques y Mar Caribe

GOBIERNO MUNICIPAL DE LAS PIEDRAS
Desarrollado Dependencia Ordenación Territorial
Source: ERIS Data & Maps CD
Created in ArcGIS 9.3 using ArcMap
Data Cartografía Suministrada en Sistema
SHAPE FILES STATE PLANE NAD 83
JUNTA DE PLANIFICACIÓN Y CRM DE PR
Mapa sujeto a revisión y actualización, para uso exclusivo
de ubicación geográfica

Desarrollado por: eq. Geógrafo matricado 12-15-88

Description of the Best Management Practices

(Part of Exhibit 2)

The Municipality of Las Piedras will implement the following Best Management Practices for each of the six storm water minimum control measures as described in 40 CFR 122.34(b) (1) through (6).

1) Public Education Programs:

Objective: The Municipality will educate the general public by making 500 impressions per year with a storm water quality message via print, or other appropriate media.

- a. Prepare storm water education materials for citizens
Goal: prepare outreach materials on proper storm water management practices for citizens. Storm water management practices that can include:
 - Avoid blocking existing channels made from storm water flow.
 - Avoid leaving construction materials unprotected from storm water flows.
 - Always clean up debris around the house.
 - Periodically clean storm drains to prevent blockages.

- b. Prepare storm water education materials for citizens on management of household hazardous waste.

Goal: Prepare outreach material on proper household hazardous waste management practices for citizens. Practices include:

Proper ways to store paint including how to seal the paint and how to where to store it.

How to store pesticides.

The proper use of hazardous materials and how much to use and how not to have it release materials into the environment.

How to minimize the disposal of hazardous products it is necessary to use when possible nontoxic alternatives.

The dangers with flushing waste down the drain.

The dangers of pouring hazardous products into gutters, drains, and sewers.

Lessons on how to dispose of hazardous waste.

Prepare trash management education material.

Goal: Prepare outreach material on proper trash management practices for citizens. Points include:

Implement a control structure designed to target the most prevalent types of trash and identify the source of the trash.

Create an inventory of possible locations for trash management and disposal.

Regular cleaning and maintenance are necessary to prevent accumulating trash.

Inform communities on options to recycle.

Promote waste reduction.

Cleanup campaigns.

- d. Prepare education/outreach material for commercial activities.
Goal: Prepare educate/outreach material for commercial activities. Some recommendations include:
 - Good storage practices
 - Waste management
 - Vehicle and equipment washing
 - Spill prevention and cleanup
 - Proper maintenance
 - Training and education for employees and customers
 - Eliminating improper discharges to drains
 - Trucking and shipping/receiving
 - Constructing parking and landscaped areas to include storm water management features
 - Using absorbent material to dispose of automotive fluids
 - Rinsing and cleaning parking lots.
- e. Prepare classroom education on storm water pollution management.
Goals: Prepare classroom education material for distribution to local schools. Municipality officials should work with school officials to identify their needs and provide educational aid.

2) Public Involvement Participation:

Objectives: Involve stakeholder groups, include the municipal government, businesses, and citizens in making decisions about the storm water management priorities and programs.

- a. Establish a NPDES storm water steering committee
Goal: The NPDES Storm Water Steering Committee is established and meets during the permit term. It includes members from the Municipality, public, industrial and commercial groups, and constructor and design groups.
- b. Hold public meetings to receive input on the proposed program.
Goal: Two public meetings will be held on the subject.

3) Illicit Discharge and Elimination:

Objectives: Develop a comprehensive map of the storm water drain system, establish and carry out procedures to identify and remove illicit discharges, establish legal authority for enforcement, and encourage public involvement.

- a. Storm drain system map
Goal: Develop a storm drain system map. This will aid the municipality in targeting outfalls and dry weather flows.
- b. Identify illicit connections through dry water screening
Goal: A survey during dry weather of the storm drain system will be conducted to identify non-storm water flows. Areas with suspicious

activity will be further inspected.

c. Illicit discharge/illegal dumping hotline

Goal: A number and extension will be assigned to the Municipal government's phone network to provide a hotline for citizens interested in reporting illegal discharges.

4) Prepare a program to reduce pollutants in any storm water runoff to our Storm Sewer System from construction activities:

Objectives: Establish a set of minimum erosion and sediment control (ESC) requirements for construction sites, including planning, installation, inspection, and maintenance of ESC practices.

a. Request (ESC) plans for projects with land disturbance

Goal: A draft ordinance will be prepared that will request an ESC with all project constructions.

b. Request the use of appropriate perimeter controls.

Goal: ESC requirements will be revised to require all sites on slopes and areas where pooling of water is possible to use perimeter controls.

c. Develop and education program for contractors.

Goal: Educate contractors about the proper selection, inspection, and Maintenance of BMPs to ensure compliance with the ESC.

5) Post-construction storm water management in new developments and redevelopments

Objective: Reduce the volume and improve the quality of storm water runoff by disconnecting impervious surfaces and maintaining structural storm water controls.

a. Develop a program for maintenance of structural storm water controls.

Goal: Conduct an inventory of structural runoff controls. Integrate the location of these controls with schedules for regular inspection and maintenance. Conduct inspections annually and conduct regular maintenance.

b. Develop and implement a storm water ordinance and guidance that includes standards to control runoff impacts.

Goal: Construction activities in the Municipality will be issued descriptions and plans regarding control practices and site design that comply with criteria.

6) Pollution prevention/good housekeeping for municipal operations.

Objective: Reduce the amount of nutrients entering receiving waters through

education of employees about lawn care activities, spill prevention, control, and vehicle washing.

a. Training program for ground maintenance and landscaping crews.

Goal: Develop a pollution prevention workshop for all municipal employees

Responsible for grounds maintenance and landscaping at public facilities. New

Employees will be trained as they are hired.

b. Develop spill prevention and control plans for municipal facilities.

Goal: Develop plans describing spill prevention and control procedures.

Conduct a spill prevention and response training session for all employees.

Distribute materials, posters, and pamphlets.